

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRANDON J. BAUER,

Defendant.

4:14CR3028

ORDER

The defendant has returned from his mental health evaluation at the Federal Medical Center. Although the FMC concluded the defendant is competent, counsel remains concerned and has retained a local psychologist to perform an additional mental health evaluation. That evaluation cannot be completed until early December 2014.

Accordingly,

IT IS ORDERED:

- 1) The trial of this case remains continued until the court can fully evaluate the defendant's competency.
- 2) A hearing to determine the defendant's competence will be held at 9:30 a.m. on December 10, 2014 before the undersigned magistrate judge in Courtroom 2, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska.
- 3) The defendant, defense counsel, and counsel for the government shall attend.
- 4) Pursuant to 18 U.S.C. § 3161(h)(1)(A) & (h)(4), and with the defendant's consent as stated on the record today, the time between June 3, 2014 and a judicial determination that the defendant is competent and capable of assisting in the defense of this case, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act.

October 16, 2014

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge